

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>10/28/2022</u>

GARY KEMP,

Petitioner,

20-CV-09121 (RA)(SN)

-against-

ORDER

JOSEPH NOETH,

Respondent.

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SARAH NETBURN, United States Magistrate Judge:

On October 21, 2022, the Court ordered Petitioner to file a letter updating the Court of the status of the state court proceeding. ECF No. 40. On October 25, 2022, the Pro Se office received a letter Petitioner forwarded from the Supreme Court of the State of New York, indicating that his CPL § 440.10 motion has been scheduled in Part 95 before the Honorable Daniel Conviser for November 9, 2022. The letter indicates that it could take several months before a decision is rendered.

As the Pro Se office sent this letter to my Chambers, Petitioner no longer needs to file a letter updating the Court of the state court proceeding to comply with the October 21, 2022 order. Accordingly, Petitioner is directed to file another status letter on the state court proceedings on January 25, 2023.

SO ORDERED.


SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
October 28, 2022